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September 19, 2001

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In re: United States of America v. Aeronca, Inc., et al.
U.S. District Court Southern District of Ohio Western Division
Case No. C-1-01-439

Dear Counsel:

Enclosed please find a copy of the Answer of Clarke Services, Inc., Clarke, Inc. and Richard M. Clarke to Amended Complaint and Jury Demand which we have filed in the above-captioned matter.

Very truly yours,

GARY F. FRANKE CO., L.P.A.

Gary F. Franke

GFF:pt
Enclosure

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED 1/17/01

RECEIVED
CLERK OF COURT

UNITED STATES OF AMERICA)

Plaintiff)

v.)

AERONCA, INC. (f/k/a Aeronca
Manufacturing Corp. f/k/a Aeronca
Aircraft),)

CLARKE CONTAINER INC.,)
CLARKE'S INCINERATORS, INC.,)
JOHN J. WHITTON TRUCKING, INC.)
CLARKE'S SERVICES, INC.)
CLARKE, INC.)
RICHARD M. CLARKE)

Defendants)

CIVIL ACTION NO. C-1-01-439
JUDGE BECKWITH

**ANSWER OF CLARKE SERVICES, INC.,
CLARKE, INC. AND RICHARD M. CLARKE
TO AMENDED COMPLAINT AND JURY DEMAND**

Now come defendants, Clarke Services, Inc., Clarke, Inc. and Richard M. Clarke,
by and through counsel, and for their Answer to the Amended Complaint, state as follows:

FIRST DEFENSE

1. That the Amended Complaint fails to state a claim upon which relief can be
granted.

SECOND DEFENSE

2. The preceding defense is referred to and incorporated as if fully rewritten herein.

3. Paragraph 1 of the Amended Complaint is denied for want of knowledge.

4. Paragraph 2 of the Amended Complaint is admitted.

5. Paragraph 3 of the Amended Complaint is denied for want of knowledge.

6. Paragraph 4 of the Amended Complaint is denied for want of knowledge.

7. Paragraph 5 of the Amended Complaint is denied for want of knowledge.

8. Paragraph 6 of the Amended Complaint is denied for want of knowledge.

9. So much of paragraph 7 of the Amended Complaint as avers that Clarke Services, Inc. was a corporation organized under the laws of the State of Ohio and was authorized to do business in Ohio is admitted and the balance of said paragraph is denied.

10. So much of paragraph 8 of the Amended Complaint as avers that Clarke, Inc. is a corporation organized under the laws of the State of Ohio and is authorized to do business in Ohio is admitted and the balance of said paragraph is denied.

11. So much of paragraph 9 of the Amended Complaint as avers that Richard M. Clarke is a natural person, resident of the State of Ohio, at one time sole shareholder of Clarke Services, Inc. when the assets were sold to Browning-Ferris Industries of Ohio, Inc. and that Richard M. Clarke did business as Dick Clarke Company is admitted and the balance of said paragraph is denied.

12. Paragraph 10 of the Amended Complaint is denied for want of knowledge.

13. Paragraph 11 of the Amended Complaint is denied for want of knowledge.

14. So much of paragraph 12 of the Amended Complaint as avers that Clarke, Inc., Richard M. Clarke and/or Clarke Services, Inc. is a person who, by contract, agreement or otherwise, arranged for disposal or treatment, or arranged with a transporter for transport for disposal or treatment, of hazardous substances owned by each at the site, as described in Section 107(a)(3) of CERCLA, 42 U.S.C. § 9607(a)(3), or accepted hazardous substances for transport to disposal or treatment at the site, and selected a site for disposal or treatment, as described in §107(a)(4) of CERCLA, 42 U.S.C. § 9607(a)(4) is denied, and the balance of said paragraph is denied for want of knowledge.

15. Paragraph 13 of the Amended Complaint is admitted.

16. Paragraph 14 of the Amended Complaint is denied for want of knowledge.

17. Paragraph 15 of the Amended Complaint is denied for want of knowledge.

18. Paragraph 16 of the Amended Complaint is denied for want of knowledge.

19. Paragraph 17 of the Amended Complaint is denied for want of knowledge.

20. Paragraph 18 of the Amended Complaint is denied for want of knowledge.

21. Defendants refer to and incorporate the preceding admissions and denials in answer to paragraph 19 of the Amended Complaint.

22. Paragraph 20 of the Amended Complaint is denied for want of knowledge.

23. Paragraph 21 of the Amended Complaint is denied for want of knowledge.

24. Paragraph 22 of the Amended Complaint is denied for want of knowledge.

25. Paragraph 23 of the Amended Complaint is denied for want of knowledge.

26. Paragraph 24 of the Amended Complaint is denied for want of knowledge.

27. Paragraph 25 of the Amended Complaint is denied.

28. Paragraph 26 of the Amended Complaint is denied.

29. Defendants deny each and every allegation of the Amended Complaint not specifically admitted herein.

THIRD DEFENSE

30. The preceding defenses are referred to and incorporated as if fully rewritten herein.

31. Plaintiff's claims are barred by the Statute of Limitations.

FOURTH DEFENSE

32. The preceding defenses are referred to and incorporated as if fully rewritten herein.

33. Plaintiff's claims are barred by the Doctrine of Laches.

FIFTH DEFENSE

34. The preceding defenses are referred to and incorporated as if fully rewritten herein.

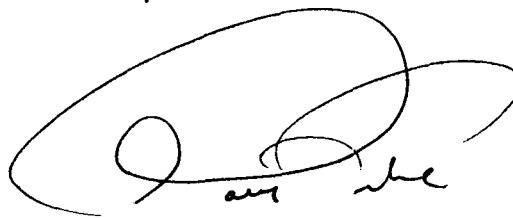
35. Defendants did not transport hazardous waste to the site.

SIXTH DEFENSE

36. The preceding defenses are referred to and incorporated as if fully rewritten herein.

37. Plaintiff's damages, if any, are the result of independent, superseding and intervening causes for which this defendant is not liable.

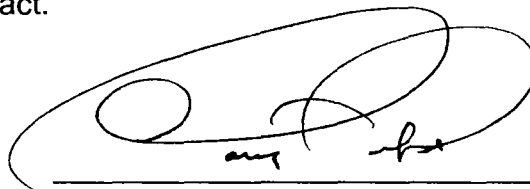
WHEREFORE, having fully answered, defendants, Clarke Services, Inc., Clarke, Inc. and Richard M. Clarke pray that the Amended Complaint be dismissed and that they may go hence without delay.



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Attorney for Defendant
120 East 4th Street - Suite 560
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JURY DEMAND

Defendants, Clarke Services, Inc., Clarke, Inc. and Richard M. Clarke demand a jury as to all questions of fact.

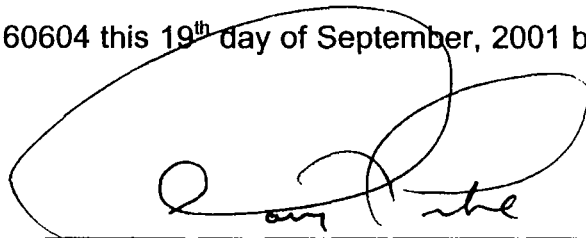


Gary F. Franke
Attorney at Law

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer to Amended Complaint and Jury Demand has been served upon all counsel of record, including David E. Northrop, Porter, Wright, Morris & Arthur, 41 South High Street, Columbus, Ohio 43215-6194; Kevin J. Hopper, Southampton Square, 7434 Jager Court, Cincinnati, Ohio 45230; Jonathon Conte, Blank Rose Comisky & McCauley, L.L.P., 201 East Fifth Street - Suite 1700, Cincinnati,

Ohio 45202; John C. Cruden, Acting Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice; W. Benjamin Fisherow, Deputy Section Chief, Environment Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice, Annette M. Lang, Trial Attorney, Environment Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice, P. O. Box 7611 Ben Franklin Station, Washington, DC 20044; Gerald F. Kaminski, 220 U.S.P.O. & Courthouse, 100 East 5th Street, Cincinnati, Ohio 45202; and, Craig Melodia, 77 West Jackson Boulevard, Chicago, Illinois 60604 this 19th day of September, 2001 by regular United States Mail.

A handwritten signature in black ink, appearing to read "Gary F. Franke", is written over a horizontal line. The signature is stylized with large loops and a prominent "F".

Gary F. Franke
Attorney at Law